

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

**IN RE MONITRONICS INTERNATIONAL,
INC. TELEPHONE CONSUMER
PROTECTION ACT LITIGATION**

MDL No. 1:13-MD-2493

This document relates to:

Dolemba v. Monitronics, International, Inc.
Case No. 1:14-CV-66 - IMK

**MOTION TO DISMISS ON BEHALF OF
ALLIANCE SECURITY LLC**

Defendant Alliance Security, LLC (“Alliance LLC”) moves to dismiss the claims against it in this civil action pursuant to Rule 12(b)(6) upon the grounds that the Plaintiff has named the wrong corporate entity in his Complaint. In short, Alliance LLC is a corporate entity separate and distinct from that of Alliance Security, Inc., a Delaware Corporation; the real party in interest in this civil action.

Alliance LLC is filing its Exhibit 1 and Memorandum of Law in Support of this motion contemporaneously.

Because there is no legal or factual basis to provide the Plaintiff any relief against Alliance LLC in this civil action, Alliance LLC should be dismissed with leave granted to the Plaintiff to name Alliance Security, Inc. as a party should he choose to do so. Accordingly,

Alliance Security LLC respectfully requests that this court enter an Order dismissing the claims against it in this civil action.

Respectfully submitted,

**ALLIANCE SECURITY, INC.,
BY SPILMAN THOMAS & BATTLE, PLLC**

/s/ John R. Teare, Jr. _____

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CERTIFICATE OF SERVICE

I, John R. Teare, Jr., I hereby certify that on the 24th day of April, 2014, I served the foregoing “*Motion to Dismiss on Behalf of Alliance Security LLC*” with the Clerk of this Court and upon all counsel of record using the Court’s CM/ECF filing system, as follows:

ALL PARTIES DESIGNATED
TO RECEIVE NOTICE VIA
ELECTRONIC FILING

/s/ John R. Teare, Jr.
John R. Teare, Jr. (WV Bar No. 5547)